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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,275	07/09/2001	Arnd Krusche	450117-03255	7558
20999	7590	02/07/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			ZHOU, TING	
		ART UNIT	PAPER NUMBER	
		2173		

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/901,275	KRUSCHE ET AL.
	Examiner Ting Zhou	Art Unit 2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 06 December 2004.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 13-42 and 44 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 13-42 and 44 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. The Request for Continued Examination (RCE) filed on 6 December 2004 under 37 CFR 1.53(d) based on parent Application No. 09/901,275 is acceptable and a RCE has been established. An action on the RCE follows.
  
2. The amendments submitted on 6 October 2004 have been received and entered with the filing of the RCE on 6 December 2004. Claim 43 has been cancelled by the applicant and is therefore withdrawn from consideration; new claim 44 has been added. Claims 13-42 and 44 as amended are pending in the application.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13-15, 18-26, 28-30, 33-41 and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft® Windows, copyright 1998 (Screenshot 1).

Referring to claims 13, 28 and 44, Microsoft Windows teaches a method, man-machine interface and a computer program comprising determining a connection of one or more devices to a network, determining availability of one or more multimedia services available via one or more devices connected to the network, and displaying a hierarchical view representative of the

one or more devices connected to the network and the one or more available multimedia services (Screenshot 2 shows a hierarchical display of devices that are connected to the computer network; for example, the connected devices include the availability of devices providing multimedia services such as an audio CD drive, a printer, etc.).

Referring to claims 14 and 29, Microsoft Windows teaches determining a connection of all devices connected to the network (the Microsoft Windows Explorer display shown in Screenshot 2 shows all of the devices, software and functions associated with and connected to the computer system).

Referring to claims 15 and 30, Microsoft Windows teaches determining availability of all multimedia services available via devices determined to be connected to the network (the Microsoft Windows Explorer display shown in Screenshot 2 shows all of the devices, including those devices that provide multimedia services such as the printer, software and functions associated with and connected to the computer system).

Referring to claims 18 and 33, Microsoft Windows teaches operating the one or more devices and the one or more available multimedia services represented in the hierarchical view responsive to a user operation including a drag and drop operation, a cut and paste operation, and a copy and paste operation (Screenshot 3 shows the user can perform operations such as cut and copy to the multimedia service associated with the audio CD drive in which 16 tracks are displayed; furthermore, Screenshot 4 shows the paste operation and Screenshot 5 shows the drag and drop operation).

Referring to claims 19 and 34, Microsoft Windows teaches communicating multimedia data (selecting a track shown in Screenshot 6 to play the corresponding media file).

Referring to claims 20 and 35, Microsoft Windows teaches communicating multimedia data using a device capable of providing the one or more multimedia services (for example, if one of the audio tracks in Screenshot 6 is selected by the user, then the system will provide the multimedia service, or play the selected track, using an appropriate audio player, as shown in Screenshot 7).

Referring to claims 21 and 36, Microsoft Windows teaches selecting one device from the hierarchical view representation of the one or more devices connected to the network (selecting one of the devices from the hierarchical display, such as selecting “Audio CD (E:)” in Screenshot 6), selecting one multimedia service from the hierarchical view representation of the one or more available services (selecting one of the multimedia tracks shown in Screenshot 6), displaying a context sensitive menu associated with the one selected device and the one selected multimedia service (displaying the context sensitive menu associated with the selected track from the selected device, as shown in Screenshot 8), and operating the one selected device and the one selected multimedia service in accordance with a selection from the context sensitive menu (for example, if the user selects the play option from the context sensitive menu shown in Screenshot 8, then the system will play the selected audio track).

Referring to claims 22 and 37, Microsoft Windows teaches communicating multimedia data involving an operated device (playing the audio track in the Audio CD (E:) device) (Screenshot 7).

Referring to claims 23 and 38, Microsoft Windows teaches communicating multimedia data using a device capable of providing the one or more multimedia services (as shown in Screenshot 7, the selected audio file is played using an appropriate audio player).

Referring to claims 24 and 39, Microsoft Windows teaches the hierarchical view is organized in accordance with predetermined, user-selectable rules (as shown in Screenshot 9, the items in the hierarchical display arrangement can be organized and displayed according to user preferences, such as by name, date, size, type, etc.).

Referring to claims 25 and 40, Microsoft Windows teaches the hierarchical view is organized according to the kind of devices connected to the network (as shown in Screenshots 6 and 10, devices are grouped together by type such that audio track files are displayed with other audio track files and printer devices are displayed with other printer devices, etc.).

Referring to claims 26 and 41, Microsoft Windows teaches the hierarchical view is organized according to the kind of multimedia services available via devices connected to the network (as shown in Screenshot 10, the multimedia services provided by the printer devices are organized according to the type of printers, such as Cannon, HP, etc.).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16-17 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft® Windows, copyright 1998 (Screenshot 1), as applied to claims 13 and 28 above, and Battat et al. U.S. Patent 5,958,012.

Referring to claims 16 and 31, Microsoft Windows teaches all of the limitations as applied to claims 13 and 28 above. Specifically, Microsoft Windows teaches one or more sub-networks integrated into the network, where the hierarchical view is representative of the sub-networks, and respective representations of the sub-networks are of higher hierarchical order than devices and multimedia services thereof (Screenshot 2 shows the hierarchical display of sub-networks within the network, such as sub-networks “C:” and “Removable Disk (D:)” under the network “My Computer”; furthermore, the above mentioned sub-networks of “C:” and “Removable Disk (D:)” are higher in the hierarchical display than multimedia devices and services such as “Audio CD (E:)” and “Printers”). However, Microsoft Windows fails to explicitly teach the use of a bridge to integrate the sub-networks into the network. Battat et al. teach a user interface that provides a visualization and management of connected components of a computer network in a tree-like structure (Battat et al.: column 4, lines 47-59, column 16, lines 46-50 and Figure 10B) similar to that of Microsoft Windows. In addition, Battat et al. further teach integrating sub-networks and various components of the network via bridges (Battat et al.: column 18, lines 52-65). It would have been obvious to one of ordinary skill in the art, having the teachings of Microsoft Windows and Battat et al. before him at the time the invention was made, to modify the interface for displaying information relating to a network of Microsoft Windows to include the integration of network components via the use of communication devices such as bridges, taught by Battat et al. One would have been motivated to make such a combination in order to have the versatility to be able to integrate various kinds of networks, provided by communication devices such as bridges, which facilitate the interconnection of

numerous different types of networks; for example, PC computers can be connected to home appliances such as a VCR and also to an electronic device such as a Walkman.

Referring to claims 17 and 32, Microsoft Windows teaches the hierarchical view is organized according to the kind of sub-networks connected to the network (the sub-networks are grouped according to the kind of devices within it; for example, the hierarchical view of the network “My Computer” contains the separate sub-networks of “3½ Floppy (A:)”, “(C:)”, “Removable Disk (D:)” etc., as shown in Screenshot 2).

5. Claims 27 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft® Windows, copyright 1998 (Screenshot 1), as applied to claims 13 and 28 above, and Saito et al. U.S. Patent 6,523,696.

Referring to claims 27 and 42, Microsoft Windows teaches all of the limitations as applied to claims 13 and 28 above. However, Microsoft Windows fails to explicitly teach the use of audio video command (AV/C) protocol for controlling the connected devices and/or services. Saito et al. teach an interface that displays information regarding interconnected devices and services in a network (Saito et al.: column 15, lines 18-30, column 22, lines 41-65 and Figures 5 and 13) similar to that of Microsoft Windows. In addition, Saito et al. further teach the use of AV/C protocol for controlling components (Saito et al.: column 3, lines 58-67 and column 13, lines 49-56). It would have been obvious to one of ordinary skill in the art, having the teachings of Microsoft Windows and Saito et al. before him at the time the invention was made, to modify the method for displaying information relating to a network of Microsoft Windows to include the use of AV/C protocols taught by Saito et al. It would have been

advantageous for one to utilize such a combination in order to display and control more types of devices, including appliances and electronics that input and output audio and video commands. The user would have the added ability to monitor their home appliances such as the TV or VCR.

***Response to Arguments***

6. Applicants' arguments filed 6 October 2004 have been fully considered but they are not persuasive.
7. Applicants assert that "Although the Windows Explorer shows a hierarchical view of the files, directories, and devices connected to a computer, Windows Explorer fails to teach or suggest controlling network devices by determining which devices and multimedia services are available and connected to a network, and displaying a hierarchical view of the connected devices and available multimedia services". The examiner respectfully disagrees. In response to applicant's arguments, the recitation "controlling network devices" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). Furthermore, Windows Explorer shown in Screenshot 2 shows a hierarchical display of devices and multimedia services that are determined to be connected to the network, such as a 3<sup>1/2</sup> Floppy (A:) drive, a (C:) and a Removable Disk (D:) drive, and multimedia service

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providing devices such as a printer capable of printing images and a CD drive capable of outputting audio. Therefore, the examiner respectfully maintains that Microsoft Windows anticipates the subject limitations.

8. Applicant's arguments with respect to claims 16-17, 27, 31-32 and 42 have been considered but are moot in view of the new ground(s) of rejection.

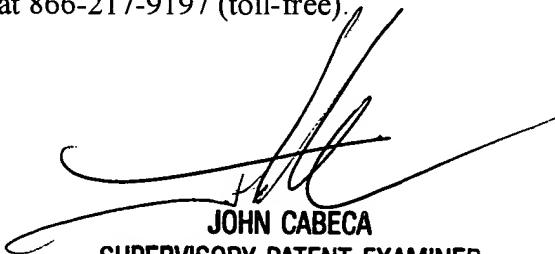
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

2 February 2005



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